

5-2-05

Translation

PATENT COOPERATION TREATY

PCT/JP2003/010430



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PA-03059/PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/010430	International filing date (day/month/year) 19 August 2003 (19.08.2003)	Priority date (day/month/year) 19 August 2002 (19.08.2002)
International Patent Classification (IPC) or national classification and IPC G06K 19/06, 19/10, 7/12, C09K 11/08		
Applicant FUKUI, Shinya		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
  - ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
    - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - ☐ (sent to the International Bureau only) a total of \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 27 February 2004 (27.02.2004)	Date of completion of this report 19 November 2004 (19.11.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/010430

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☒ The international application as originally filed/furnished
- ☐ the description:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the claims:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/10430

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)

Claims

YES

Claims

1-7

NO

Inventive step (IS)

Claims

YES

Claims

1-7

NO

Industrial applicability (IA)

Claims

1-7

YES

Claims

NO

## 2. Citations and explanations (Rule 70.7)

Document 1: WO, 2001-078288, A2 (Quantum Dot Corp.), 18 October, 2001 (18.10.01)

### Claims 1-7

Document 1 (column 12, line 10 to column 14, line 19; column 19, lines 21-25; column 20, line 18 to column 23, line 16) substantially describes the constitution of the subject matters of claims 1-7.

Especially, the invention described in document 1, in which the chemical composition and size of semiconductor nanocrystals are changed to code identification information, that is, semiconductor nanocrystals are produced with a chemical composition and size corresponding to identification information, corresponds to the production of an information presenting material according to a production history corresponding to specific cipher information.



## 第I欄 報告の基礎

1. この国際予備審査報告は、下記に示す場合を除くほか、国際出願の言語を基礎とした。

☐ この報告は、\_\_\_\_\_語による翻訳文を基礎とした。

それは、次の目的で提出された翻訳文の言語である。

☐ PCT規則12.3及び23.1(b)という国際調査

☐ PCT規則12.4という国際公開

☐ PCT規則55.2又は55.3という国際予備審査

2. この報告は下記の出願書類を基礎とした。(法第6条(PCT14条)の規定に基づく命令に応答するために提出された差替え用紙は、この報告において「出願時」とし、この報告に添付していない。)

☒ 出願時の国際出願書類

☐ 明細書

第 \_\_\_\_\_ ページ、出願時に提出されたもの

第 \_\_\_\_\_ ページ\*、 \_\_\_\_\_ 付けで国際予備審査機関が受理したもの

第 \_\_\_\_\_ ページ\*、 \_\_\_\_\_ 付けで国際予備審査機関が受理したもの

☐ 請求の範囲

第 \_\_\_\_\_ 項、出願時に提出されたもの

第 \_\_\_\_\_ 項\*、PCT19条の規定に基づき補正されたもの

第 \_\_\_\_\_ 項\*、 \_\_\_\_\_ 付けで国際予備審査機関が受理したもの

第 \_\_\_\_\_ 項\*、 \_\_\_\_\_ 付けで国際予備審査機関が受理したもの

☐ 図面

第 \_\_\_\_\_ ページ/図、出願時に提出されたもの

第 \_\_\_\_\_ ページ/図\*、 \_\_\_\_\_ 付けで国際予備審査機関が受理したもの

第 \_\_\_\_\_ ページ/図\*、 \_\_\_\_\_ 付けで国際予備審査機関が受理したもの

☐ 配列表又は関連するテーブル

配列表に関する補充欄を参照すること。

3. ☐ 補正により、下記の書類が削除された。

☐ 明細書 第 \_\_\_\_\_ ページ

☐ 請求の範囲 第 \_\_\_\_\_ 項

☐ 図面 第 \_\_\_\_\_ ページ/図

☐ 配列表(具体的に記載すること) \_\_\_\_\_

☐ 配列表に関連するテーブル(具体的に記載すること) \_\_\_\_\_

4. ☐ この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。(PCT規則70.2(c))

☐ 明細書 第 \_\_\_\_\_ ページ

☐ 請求の範囲 第 \_\_\_\_\_ 項

☐ 図面 第 \_\_\_\_\_ ページ/図

☐ 配列表(具体的に記載すること) \_\_\_\_\_

☐ 配列表に関連するテーブル(具体的に記載すること) \_\_\_\_\_

\* 4. に該当する場合、その用紙に“superseded”と記入されることがある。

第V欄 新規性、進歩性又は産業上の利用可能性についての法第12条(PCT35条(2))に定める見解、それを裏付ける文献及び説明

1. 見解

新規性(N)	請求の範囲		有 無
	請求の範囲	1-7	
進歩性(IS)	請求の範囲		有 無
	請求の範囲	1-7	
産業上の利用可能性(IA)	請求の範囲	1-7	有 無
	請求の範囲		

2. 文献及び説明(PCT規則70.7)

文献1: WO 2001/078288 A2(QUANTUM DOT CORPORATION) 2001.10.18

請求の範囲1-7

文献1(第12欄第10行目-第14欄第19行目, 第19欄第21-25行目, 第20欄第18行目-第23欄第16行目)には、請求の範囲1乃至7に係る発明の構成が実質的に記載されている。

特に、文献1に記載された発明において、半導体ナノ結晶の組成、サイズが変更されることによって、識別情報が符号化されること、すなわち半導体ナノ結晶が識別情報に対応する組成、サイズによって作製されることは、情報提示物質が特定の暗号情報に対応する作製履歴によって作製されることに相当する。